

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

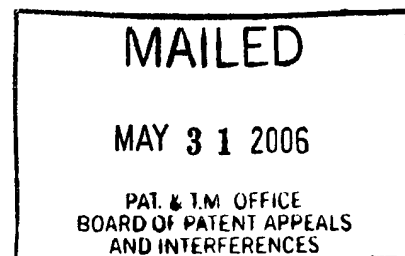
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DANIEL O. RAMOS, KEVIN C. JONES
AND GEOFFREY B. RHOADS

Appeal No. 2006-1345
Application 09/636,102

ON BRIEF



Before THOMAS, JERRY SMITH, and RUGGIERO, Administrative Patent Judges.

THOMAS, Administrative Patent Judge.

DECISION ON APPEAL

Appellants have appealed to the Board from the examiner's final rejection of claims 2, 5 through 7 and 9 through 20.

Representative independent claim 2 is reproduced below:

2. A file browser system comprising:

a file browser for displaying in a user interface a representation of media object files stored in memory; and

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a file browser extension for decoding an object identifier from a selected media object file and for displaying in an extension of the user interface metadata or an action associated with the media object file via the object identifier; wherein the object identifier is decoded from a watermark embedded in the selected media object file.

The following references are relied on by the examiner:

| | | |
|------------------------|-----------|---------------|
| Houser et al. (Houser) | 5,606,609 | Feb. 25, 1997 |
| Huntsman | 5,801,689 | Sep. 1, 1998 |

Claims 2, 5 through 7, 9, 10 and 14 through 20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Houser. Claims 11 through 13 stand rejected under 35 U.S.C. § 103. As evidence of obviousness, the examiner relies upon Houser in view of Huntsman.

Rather than repeat the positions of the appellants and the examiner, reference is made to the brief and reply brief for the appellants' positions, and to the answer for the examiner's positions.

OPINION

For the reasons set forth by the examiner in the answer, as expanded upon here, we sustain the two rejections of all claims on appeal.

Turning first to the rejection of most of the claims on appeal under 35 U.S.C. § 102, we note first that the references teach the use of the traditional digital watermark capability consistent with appellants' understanding and definition of this term at pages 1 and 2 of the specification as filed. This watermark capability applies only to independent claims 2, 9 and 10 on appeal, since these are the only claims that specifically recite this feature. Correspondingly, the examiner most recently in the final rejection and answer has relied upon the teaching of the security object and the embedding of it in an electronic document as a basis for the claimed watermark in these claims. We fully agree with this approach of the examiner, which we understand to be fully consistent with appellants' definitions at specification pages 1 and 2. The embedding of a security object in an electronic document appears to us to be into the actual media of the document itself such that it alters or modifies the actually host media signals associated with the respective media element. As to these points, we are not persuaded by appellants' counter arguments in the brief and reply brief that Houser does not teach watermarking.

From our studied review of Houser, it appears to us that this reference contains significantly more applicable teachings and suggestions to the artisan than the examiner and appellants have appreciated. The claimed media object appears to relate directly to the electronic document of Houser. Types of documents are listed at column 7 beginning at line 15 with additional teachings at column 11, lines 51 through 61. To the extent that the claims recite the watermark embedded in media, we note the showing in figures 8 and 10 of watermark generators, which of necessity require the ability to decode the respective watermarks to be able to derive the underlying embedded information therein.

The claimed object identifier appears to us to correspond to the claimed identifier briefly discussed in the abstract of Houser, for example. This identifier is part of the embedded security object along with the claimed security information associated therewith. Note as well the embedding in figures 1, 2, 5 and 6. Also, as set forth in the abstract, note the object linking and embedding (OLE) capability which appears to be

discussed in detail beginning at column 21, lines 60 through at least column 22, line 27. To be able to display or otherwise print a portion of an electronic document including a security object, it invokes an OLE controller such as to pass control to a signature interpreter module, according to one of Houser's examples, and passes control thereto for verification processing and then returns control to the OLE controller which in turn returns the control to a host application of an electronic document. To an artisan, this appears to be reminiscent of the requirements of the claims on appeal for respective decoding and implicitly encoding of an object identifier of the claims. Additionally, for added security the reference teaches of the ability to encrypt and decrypt coded information. The taught identifier invokes the processing of security information including a document digest, a signature digest and signature chop information which may be digitized signatures or graphical images. Clearly, these at least may relate to the claimed broadly defined metadata.

The earlier-noted ability to invoke and therefore return the OLE information directly relates to the forwarding and return operational functions of independent claim 5 which does not require the use of a watermark embedded in a media object. As with the subject matter of claim 2 and all the other claims on appeal relating to this feature, the claimed file browser is not argued by appellants in the brief and reply brief not to be present in Houser. The invocation process directly relates to the file browser extension capabilities of the claims on appeal as well.

The subject matter of independent claim 7 on appeal is different from that of independent claim 2 and the recitation of the wherein clause which requires the display of a URL link associated with a media object file. Since this necessarily requires the use of an internet approach to accessing data remotely, we make reference to the internet link connectability in the middle of column 2, the use of networks with respect to interconnect connectability and transfer ability of electronic documents in the initial paragraphs at column 1 of the background of the invention of Houser as well as the more specific teaching of the use of the internet at the bottom of column 8.

Since the reference plainly teaches a reliance upon and interconnect connectability of remote locations involving the transfer of electronic documents in a secure manner therebetween, the invocation or use of the internet necessarily requires the use of an internet browser to the extent recited in independent claim 7 on appeal. As to this claim (and claim 11), page 9 of the principal brief on appeal does not present any arguments that the reference to Houser and Huntsman are not properly combinable within 35 U.S.C. § 103. As such, we consider appellants to have admitted that they are, notwithstanding the specific teachings in Huntsman embellishing upon the interconnect ability of and transfer of document transfer stations through the internet by the means of browsers.

We have already mentioned earlier the additional level of security taught by Houser by the use of the watermark generator such as required by independent claim 9 on appeal. The encoding of the security object of Houser may be construed by the artisan as effected by the signature insertion module 240 in figure 2, which appears to be more specifically shown in figure 6 and the

corresponding decoding function of the embedded signature interpreter module 250 in figure 8. As to independent claim 10, the disclosed watermark in Houser must be decoded in the same manner that the other decoding functions with respect to the security object must be obtained for the display and printing functions taught in this reference.

Returning again to the subject matter of independent claim 11 on appeal, the claimed listener program and handler in addition to the claimed linking ability is again appreciated by the artisan within the context of the OLE discussion mention earlier. An additionally important teaching to this feature was noted by the examiner at column 7 beginning at line 29. There, it is explained that the identifier in Houser may directly invoke processing of security information in the embedded security object and, alternatively, the identifier may be executable code per se that invokes processing directly or indirectly such as by invoking a verification processing application. Clearly, in the context of the internet discussions in Houser this would be the

invocation of a remote URL LINK. In these contexts, the subject matter of dependent claims 12 and 13 would have been well appreciated as well by the artisan as being anticipated by Houser.

Turning to the subject matter of independent claim 14, we do not give any patentable significant to the use of the word "brand" identifier to distinguish it from any other types of identifier. In the context of Houser, such a brand identifier may be a signature, an image, a drawing, a graphic or even a video clip including a video watermark. The showing in figure 3H indicates the ability to display a new graphic associated with a title and a company name as well as standard signatures. Figure 7D shows a company signature-type graphic element 742. As to dependent claims 15 through 18, we note the discussion earlier in this opinion with respect to correlated teachings of features recited there. The claimed hot link relates to the OLE invocation and internet access ability we discussed earlier. The superimposition of claim 16 appears to be taught in the discussion at the bottom of column 18 beginning at line 60.

In the context of the overall discussion, from an artisan's perspective, of Houser, there appears to be no specific distinction in the use of the terms "media player" in claim 19 as distinguishing over any feature already noted. The decoding or playback or read type function recited causes an abstraction or further decoding of an object identifier as outlined earlier in our discussion. The looking up of metadata is related to the ability of the reference to link to other sources of information.

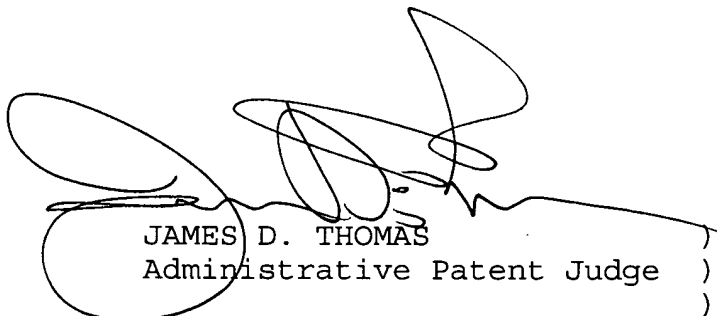


It is believed that these detailed remarks of the correlatable teachings in Houser more directly address appellants' arguments in the brief and the positions of the examiner in the answer. Appellants essentially repeat the arguments from the principal brief in the reply brief which are equally unpersuasive of patentability.

In view of the foregoing, the decision of the examiner rejecting various claims under 35 U.S.C. § 102 and 35 U.S.C. § 103 is affirmed.

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No time period for taking any subsequent action in
connection with this appeal may be extended under 37 CFR
§ 1.136(a)(1)(iv).

AFFIRMED


JAMES D. THOMAS)
Administrative Patent Judge)
)

JERRY SMITH)
Administrative Patent Judge)
)

JOSEPH F. RUGGIERO)
Administrative Patent Judge)

BOARD OF PATENT
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Digimarc Corporation
9405 SW Gemini Drive
Beaverton, OR 97008